

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Belardinelli et al.

Plaintiff(s),

-V-

Concepts in Staffing, Inc. et al.

Defendant(s).

KATHERINE B. FORREST, District Judge:

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

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DATE FILED: SEP 09 2015

15 Civ. 4935 (KBF)

SCHEDULING ORDER

The parties propose the following schedule for this matter:

1. All parties [do ☐ / do not ☒] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.<sup>1</sup>
2. Close of fact discovery: May 2, 2016. [within 4 months unless the case is particularly complex]
3. Close of expert discovery: May 27, 2016. [25 days after the close of fact discovery; the parties are to negotiate interim dates regarding expert witnesses]

The parties contemplate experts in this matter for the following subject(s): none at this time.

4. [For F.L.S.A. actions only] Plaintiff(s) [do ☐ / do not ☒] anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

Proposed briefing schedule:

Opening: \_\_\_\_\_ [30 days after initial conference]  
 Opp'n: \_\_\_\_\_ [21 days after opening brief]  
 Reply: \_\_\_\_\_ [7 days after opposition brief]

<sup>1</sup> If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

5. The parties [**do** ☒ / **do not** ☐

Proposed briefing schedule:

Opening: May 27, 2016 [no later than item 3]  
 Opp'n: June 17, 2016 [21 days after opening brief]  
 Reply: June 24, 2016 [7 days after opposition brief]

*Last dates to file; motions may be brought at any time.*

**\*\* Only Plaintiffs request**

6. Trial [**will** ☒ / **will not** ☐

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 7-10.

7. The next status conference is set for 12/4/15 at 11am (Telephonic)
8. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due: 7/15/16
9. The Final Pretrial Conference ("FPTC") is set for 7/20/16 at 1PM.

Motions in limine are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies.)<sup>2</sup>

10. Trial in this matter shall commence on 7/25/16. Trial is anticipated to take 1 [days weeks].

**Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).**

SO ORDERED.

Dated: New York, New York

9/9, 2015

K.B. Forre  
 KATHERINE B. FORREST  
 United States District Judge

<sup>2</sup> Deadlines for motions in limine and Daubert motions are generalized and subject to change. The parties may request modified schedule if desired.